

## **REMARKS**

### **I. Introduction**

With the cancellation without prejudice of claim 22, claims 17 to 21 and 23 to 32 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants express appreciation for the acknowledgment of the claim for priority and the indication that all certified copies of the priority documents have been received.

### **II. Objection to Claim 19**

As regards the objection to Claim 19, the Examiner will note that claim 19 has been amended to change the phrase "s" to --is--, and to change the phrase "reformable" to --deformable--, thereby obviating the objection. Accordingly, withdrawal of this objection is respectfully requested.

### **III. Rejection of Claims 17, 18, 20, 23 to 25, 28, 31 and 32 Under 35 U.S.C. § 102(b)**

Claims 17, 18, 20, 23 to 25, 28, 31 and 32 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,186,123 ("Maier et al."). It is respectfully submitted that Maier et. al does not anticipate claims 17, 18, 20, 23 to 25, 28, 31 and 32 for at least the following reasons.

Claim 17 relates to a fuel injector, comprising: a valve-seat surface; an actuator that cooperates with the valve-seat surface to form a sealing seat; a valve-closure member able to be actuated by the actuator; a structure including a spray-discharge orifice; and a seal for sealing the fuel injector from a valve mount opening of a cylinder head, wherein: the seal radially surrounds a region of a discharge-side end of the fuel injector, at least a first section of the seal rests against the valve mount opening in a sealing manner, and via at least an axial partial section that extends only across a portion of the axial length of the seal, the seal is fitted in the region of the discharge-side end of the fuel injector in integral fashion, by at least one of a form-fit and a force-locking.

Although Applicant may not agree with the merits of the rejection, to simplify matters, claim 17 has been amended to essentially incorporate, *inter alia*, the features of claim 22, and claim 22 has been canceled. Claim 17 as amended recites, in relevant parts, that **the first section is prestressed by an initial stress with respect to the wall of the valve mount opening, and the first section projects outwardly with respect to the immediately adjoining parts of the seal, the first section further being permanently elastic, whereby at least a portion of the initial stress is generated.** Support for these amendments may be found, for example, in canceled claim 22 and on page 5, lines 22 to 27 of the Specification.

Maier et al. describe a fuel injection valve having a nozzle body which can be inserted into a receiving bore of a cylinder head of an internal combustion engine for direct injection of fuel into the combustion chamber of the internal combustion engine. A metal ring arranged on the nozzle body deforms when heated, thereby exerting a radial pressure on the cylinder head when the metal ring is at an operating temperature.

However, Maier et al. do not disclose, or even suggest, the feature of a seal for sealing the fuel injector from a valve mount opening of a cylinder head. **As indicated in column 1, lines 59 to 62, at room temperature, the metal ring (6) of Maier et al. has an outside diameter smaller than the diameter of the receiving bore (2). The metal ring (6) only starts to expand and exert radial pressure on the receiving bore (2) after the engine is started up. Thus, from the time of engine startup until the time when the metal ring (6) is heated to the operating temperature, combustion gases and uncombusted fuel may be able to enter the gap between the nozzle body (5) and the cylinder head (4).** Moreover, even when the metal ring (6) is at operating temperature and exerting a radial pressure on the cylinder head (4), Maier et al. make no mention at all of the metal ring (6) serving as a seal. As indicated in column 2, lines 1 to 9 of Maier et al., the metal ring (6) is only designed to provide a good thermal connection between the fuel injector and the cylinder head, in order to keep the fuel injector cool and prevent coking.

In addition, Maier et al. do not disclose, or even suggest, that a first section of the seal is prestressed by an initial stress with respect to the wall of the valve mount opening. **As indicated in column 1, lines 59 to 62 of Maier et al., the outside diameter of the metal ring (6) is smaller than the diameter of the**

**receiving bore (2) during assembly. Consequently, the metal ring (6) is not prestressed with respect to the cylinder head (4).**

Furthermore, Maier et al. do not disclose, or even suggest that the first section projects outwardly with respect to parts of the seal immediately adjoining the first section, the first section further being permanently elastic, whereby at least a portion of the initial stress is generated. **As is apparent from Figs. 3 and 5 of Maier et al., the metal ring (6) is essentially cylindrical in shape at room temperature and therefore does not include a section that projects outwardly with respect to adjoining parts of the metal ring (6). In addition, Maier et al. do not describe a section of the metal ring (6) as being permanently elastic.**

Accordingly, it is respectfully submitted that Maier et al. do not anticipate claim 17 for at least these reasons.

As for claims 18, 20, 23 to 25, 28, 31 and 32, which ultimately depend from claim 17 and therefore include all of the features of claim 17, it is respectfully submitted that Maier et al. do not anticipate these dependent claims for at least the reasons set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

#### **IV. Rejection of Claims 21, 22, 26, 27, 29 and 30 Under 35 U.S.C. § 103(a)**

Claims 21, 22, 26, 27, 29 and 30 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maier et al. It is respectfully submitted that Maier et al. do not render unpatentable claims 21, 22, 26, 27, 29 and 30 for at least the following reasons.

As an initial matter, claim 22 has been canceled, thereby rendering moot the rejection with respect to this claim.

As set forth in greater detail in section III of this response, Maier et al. do not disclose, or even suggest, all of the features of claim 17. As claims 21, 26, 27, 29 and 30 ultimately depend from claim 17 and therefore include all of the features of claim 17, it is respectfully submitted that Maier et al. do not render unpatentable these dependent claims for at least the reasons set forth above in support of the patentability of claim 17.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Conclusion

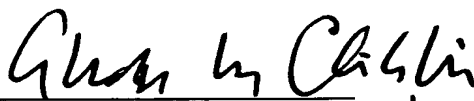
In light of the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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